

## **AGENDA**

### **BOARD OF MAYOR AND ALDERMEN**

**September 4, 2007**

**7:30 PM**

**Aldermanic Chambers  
City Hall (3<sup>rd</sup> Floor)**

1. Mayor Guinta calls the meeting to order.
2. The Clerk calls the roll.

### **CONSENT AGENDA**

3. Mayor Guinta advises if you desire to remove any of the following items from the Consent Agenda, please so indicate. If none of the items are to be removed, one motion only will be taken at the conclusion of the presentation.

### **Ratify and Confirm Polls Conducted**

- A. On August 14, 2007 approving a request from Intown Manchester to allow free parking downtown on Wednesday, September 12, 2007 from 5 PM until 8 PM for their Taste of Downtown Manchester event.  
*(Unanimous vote with the exception of Aldermen Smith and Forest who were unavailable.)*
- B. On August 27 & 28, 2007 regarding a request of Alderman Gatsas that a special meeting of the Board be held immediately following the Committee on Joint School Buildings meeting on Wednesday, August 29, 2007.  
*(Aldermen Gatsas, Long, Lopez, Shea, and Garrity voted yea. Aldermen Roy, Duval, Osborne, Pinard, O'Neil, Smith, Thibault and Forest voted nay. Alderman DeVries was unavailable.)*
- C. On August 28 & 29, 2007 regarding a request of Martin Boldin to attend the Askew Awards Conference in Madison, Wisconsin on September 9-10, 2007 and seeking funds in the amount of \$1,500 for transportation, conference and accommodations.  
*(Aldermen Roy, Long, Duval, Osborne, Pinard, O'Neil, Lopez, Shea, DeVries, Garrity, Smith and Thibault voted nay. Alderman Forest voted yea. Alderman Gatsas was unavailable.)*

**Accept BMA Minutes**

- D.** Minutes of meetings held on April 9, 2007; April 10, 2007; April 16, 2007 (two meetings); April 17, 2007 (two meetings); May 1, 2007 (two meetings); May 15, 2007 (two meetings); June 4, 2007 (two meetings); and June 5, 2007.  
(Note: available for viewing at the Office of the City Clerk and previously forwarded to Mayor and Aldermen.)

**Pole Petition – Approve under supervision of the Department of Highways**

- E.** PSNH Pole Petition #11-1167 located on Lake Avenue.

**Sidewalk Petitions (50/50 Program FY2008) – Approve subject to the availability of funding**

- F.** Communication from Jay Davini, Public Utilities Coordinator, requesting approval of sidewalk petitions.

**Informational – to be Received and Filed**

- G.** Communication from Jay Minkarah, Economic Development Director, relative to a communication from Paul Porter regarding projecting growth needed to prevent increasing fees and/or raising taxes to pay for any mandatory expenditure increases.
- H.** Manchester Health Department monthly Report Summary, August 2007.
- I.** Minutes of the Mayor's Utility Coordinating Committee meeting held on July 18, 2007.
- J.** Minutes of the MTA Commission meeting held on July 10, 2007 and the Financial and Ridership Reports for June 2007.

## **REFERRALS TO COMMITTEES**

### **COMMITTEE ON FINANCE**

**K.** Resolution:

“Amending the FY2006 & FY2008 Community Improvement Program, transferring, authorizing and appropriating funds in the amount of Twenty Thousand Dollars (\$20,000) for the FY2006 CIP 310306 MCRC Basement Retrofitting Project.”

## **REPORTS OF COMMITTEES**

### **COMMITTEE ON COMMUNITY IMPROVEMENT**

- L.** Recommending that the Board authorize expenditure of funds in the amount of \$20,000 for the FY2006 CIP 310306 MCRC Basement Retrofitting Project, and for such purpose a resolution and budget authorizations have been submitted.

*(Unanimous vote via poll conducted on August 28 & 29, 2007.)*

### **SPECIAL COMMITTEE ON RIVERFRONT ACTIVITIES AND BASEBALL**

- M.** Advising that it has accepted the proposed renovation to the left field picnic area by the NH Fisher Cats at Merchants Auto.com Stadium as presented, subject to meeting proper permitting conditions.

## **LADIES AND GENTLEMEN, HAVING READ THE CONSENT AGENDA, A MOTION WOULD BE IN ORDER THAT THE CONSENT AGENDA BE APPROVED.**

- 4.** Nominations to be presented by Mayor Guinta, if available.

5. Confirmation of the nomination of Bruce Thomas to fill a vacancy as the management representative of the Safety Review Board, term to expire July 7, 2010.  
**A motion is in order to confirm the nomination as presented.**
6. Confirmation of the nomination of John “Jack” Brady to succeed Michael Landry as an alternate member of the Planning Board, term to expire May 1, 2010.  
**A motion is in order to confirm the nomination as presented.**
7. Confirmation of nominations to the Revolving Loan Fund as follows:  
Stephen Patterson, Esq. to fill a vacancy, term to expire June 1, 2010; and  
Ovide M. Lamontagne, Esq. to fill a vacancy, term to expire June 1, 2010.  
**A motion is in order to confirm the nominations as presented.**
8. Mayor Guinta advises that a motion is in order to recess the regular meeting to allow the Committee on Finance to meet.
9. Mayor Guinta calls the meeting back to order.

### **OTHER BUSINESS**

10. Report(s) of the Committee on Finance, if available.  
**Ladies and Gentlemen, what is your pleasure?**
11. Report(s) of the Committee on Joint School Buildings, if available.  
**Ladies and Gentlemen, what is your pleasure?**
12. Report(s) of the Committee on Public Safety, Health and Traffic, if available.  
**Ladies and Gentlemen, what is your pleasure?**
13. Report(s) of the Special Committee on Riverfront Activities and Baseball, if available.  
**Ladies and Gentlemen, what is your pleasure?**

14. Communication from Alderman Osborne seeking the Board's approval in ordering a non-binding referendum question to be placed on the November 2007 General Municipal Election ballot to be worded as follows:

"Are you opposed to having a halfway house for federal prisoners located in the City of Manchester?"

**Ladies and Gentlemen, what is your pleasure?**

15. Communication from Michael Ludwell, Superintendent of Schools, advising that due to a School District Finance Committee meeting he and Ms. DeFrancis will not be available to discuss the matter relating to the School District's Health Insurance.

**Ladies and Gentlemen, what is your pleasure?**

16. Communication from Virginia Lamberton, Human Resources Director, relating to the City's health insurance coverage through CIGNA.

**Ladies and Gentlemen, what is your pleasure?**

17. Communication from Leo Bernier, City Clerk, requesting the Board set the polling hours for the Municipal General Election scheduled for Tuesday, November 6, 2007 from 6:00 AM until 7:00 PM.

**Ladies and Gentlemen, what is your pleasure?**

18. Communication from Carol Johnson, Deputy City Clerk, submitting on behalf of Chief Jaskolka, a return of Warrant for Non-Renewal of Dog License pursuant to RSA 466:16.

**Ladies and Gentlemen, what is your pleasure?**

19. Lease between MB3 Realty, LLC and the City of Manchester for space at 165 Kelley Street to be used as a Police substation; same to include payment of \$833.33 per month for a three-year term totaling \$30,000. in payments.

**If the Board so desires, a motion is in order to approve the lease and authorize the Mayor to execute same, subject to the review and approval of the City Solicitor.**

20. Communication from Walter Drewniak requesting the City grant an easement for a driveway crossing property located at 526 Douglas Street.

**If the Board so desires, a motion is in order to grant the easement, subject to the review and approval of the City Solicitor.**

**21. Resolution: (A motion is in order to read by title only.)**

“Amending the FY2006 & FY2008 Community Improvement Program, transferring, authorizing and appropriating funds in the amount of Twenty Thousand Dollars (\$20,000) for the FY2006 CIP 310306 MCRC Basement Retrofitting Project.”

**If the Board so desires, a motion is in order that the Resolution pass and be Enrolled.**

**TABLED ITEMS**

**A motion is in order to remove any of the following from the table for discussion.**

**22. Report of the Committee on Bills on Second Reading recommending that Ordinance:**

“Amending the Zoning Ordinance of the City of Manchester by extending the B-2 (General Business) zoning district to include property currently zoned IND (Industrial) located on the south side of Gold Street east of the former Lawrence Branch of the B&M Railroad and including the following three lots Tax Map 875-14, 875-15, 875-16.”

ought to pass.

*(Aldermen Duval, Lopez, Garrity and Pinard recorded in favor; Alderman Gatsas opposed.)  
(Tabled 09/05/2006)*

**23. Report of the Committee on Bills on Second Reading recommending that Ordinance:**

“Amending the Zoning Ordinance of the City of Manchester by extending the R-3 (Urban Multi-family) zoning district to include property currently zoned R-1B (Single-family) located on a portion of Tax Map 691 Lot 143-1 that will be on the north side of a proposed Gold Street Bypass and adjacent to Bradley Street and the New St. Augustin’s Cemetery.”

ought to pass.

*(Aldermen Duval, Lopez, Garrity and Pinard recorded in favor; Alderman Gatsas opposed.)  
(Tabled 09/05/2006)*

24. Report of the Committee on Community Improvement advising that it has requested staff to prepare documents to provide that the City agree to extend the term on the 2<sup>nd</sup> mortgage relating to Lowell Terrace Associates property located at the northwest corner of Lowell and Chestnut Streets to coincide with the expiration of the existing first mortgage in 2013.  
(Unanimous vote)  
(Tabled 05/15/2007. ***Additional materials provided by Finance enclosed.***)

25. A Majority report of the Committee on Bills on Second Reading recommending that Ordinance:  
“Amending the Zoning Ordinance of the City of Manchester by extending the General Business District (B-2) into an area currently zoned Residential One Family District (R-1B), being a portion of Tax Map 381, Lot 47 with an address of 466 South Willow Street and abutting South Lincoln, South Willow and Parkview Streets. A majority of the property is currently zoned B-2 and the petition would extend the B-2 to include the entire lot.”

be denied at this time.

The Committee notes that the business owner should work with the neighborhood and may return with a petition after addressing issue as noted in a communication from Alderman Garrity enclosed herein.

(Aldermen Garrity, Pinard and Duval in favor. Aldermen Lopez and Gatsas opposed.)  
(Tabled 06/05/2007)

A Minority report of the Committee on Bills on Second Reading recommending that Ordinance:

“Amending the Zoning Ordinance of the City of Manchester by extending the General Business District (B-2) into an area currently zoned Residential One Family District (R-1B), being a portion of Tax Map 381, Lot 47 with an address of 466 South Willow Street and abutting South Lincoln, South Willow and Parkview Streets. A majority of the property is currently zoned B-2 and the petition would extend the B-2 to include the entire lot.”

ought to pass.

The minority advises that the proposed zoning, in its opinion, is consistent with the highest and best use of the property and that neighborhood concerns can be best addressed through the development process at the Planning Board level, therefore, that such rezoning should be considered subject to the Planning Board approving any plans for development of the property.

*S/Alderman Lopez*

*(Tabled 06/05/2007)*

**(Note: additional communications from Alderman Garrity and petitions enclosed.)**

**26. NEW BUSINESS**

- a) Communications
- b) Aldermen

**27. If there is no further business, a motion is in order to adjourn.**